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May 5, 2005

VIA ELECTRONIC FILING

Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th Street, S.W.
Room TW-B204
Washington, DC 20554

**Re: Federal-State Joint Board on Universal Service
CC Docket No. 96-45**

Dear Madam Secretary:

In accordance with Section 1.1206 of the Commission's rules, 47 C.F.R. § 1.1206, we hereby provide you with notice of oral and written *ex parte* presentations in connection with the above-captioned proceeding.

On Wednesday, May 4, 2005, undersigned counsel, on behalf of N.E. Colorado Cellular, Inc. ("NECC"), met with Narda Jones, Pamela Slipakoff, and Jeremy Marcus of the Wireline Competition Bureau, to discuss the pending petition for FCC concurrence with the Colorado PUC's proposal to redefine the service areas of Eastern Slope Rural Telephone Association, Inc., Plains Cooperative Telephone Association, Inc., and Sunflower Telephone Company, Inc.¹ Undersigned counsel urged swift concurrence by the Commission and made statements consistent with NECC's filings to the Commission in connection with the pending petition. A copy of the materials distributed at the meeting is provided herewith as Attachment A.

In addition, an e-mailed response to a question raised by Ms. Slipakoff during the meeting is provided herewith as Attachment B. Specifically, Ms. Slipakoff asked undersigned counsel whether NECC is subject to annual reporting requirements as an ETC in Colorado. Undersigned counsel responded by confirming that NECC's USF expenditures are audited at the state level in Colorado, and provided a copy of

¹ Petition of N.E. Colorado Cellular, Inc., for Redefinition of Rural Telephone Company Service Areas (filed Feb. 8, 2005); Public Notice, *The Wireline Competition Bureau Seeks Comment on Petition to Redefine a Rural Telephone Company Service Area in the State of Colorado*, DA 05-469 (rel. Feb. 22, 2005).

the Colorado PUC's report based on NECC's most submission on its use of high-cost support. On p. 12 of the report, staff stated that:

. . . NECC provided Staff with federal USF support received in 2004 and year to date 2005; total capital expenditures in Colorado for 2003; total depreciation expense in Colorado for 2003; network maintenance costs in Colorado for 2003; a capital expenditures budget amount for 2004. Based on this information, it appears that NECC is spending much more on plant investments and network maintenance expense than it has received in federal USF support. Therefore, Staff recommends that the Commission certify Northeast Colorado Cellular to receive federal USF support in 2005. Staff will continue to work with NECC in the coming months to ensure that the capital expenditures reported by the company are directly related to the provision, maintenance and upgrading of services and facilities for which the support is intended.

A copy of the PUC's report is provided herewith as Attachment C.

If you have any questions or require any additional information, please contact undersigned counsel directly.

Sincerely,

/s/

David A. LaFuria
Steven M. Chernoff

Enclosures

cc: Narda Jones, Esq.
Pamela Slipakoff, Esq.
Jeremy Marcus, Esq.